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OGC 2-2380

Plu 71

14 MAR 1959

MEMORANDUM FOR: Acting Deputy Director (Support)

**SUBJECT: Inspector General's Survey of the Office
of Personnel**

1. I have read with care Mr. Houston's memorandum of 25 February in response to the basic correspondence from the Inspector General concerning CIA Career Service Program. For whatever value it may have, I wish to offer certain supplemental comments.

2. In view of the fact that CIA is exempt by law from the Classification Act and thus the Civil Service Program, we must have a substitute for the career concepts which are an integral part of the Civil Service Program. The existing CIA Career Service Program is but a small step in accomplishing this substitution. In Government it can be argued that the heart and soul of a career system is the concept of status and retention rights of the employees so they are not subject to the whim of the agency head or political considerations. This has been accomplished by law in the case of the Civil Service, the Foreign Service and in the various military services. In the Agency it was attempted by internal administrative directives.

3. So far this Career Service Program has not been put to the test in terms of a serious reduction of the force or change of head of the Agency. At some point it is highly likely the Agency will face the issue either in fact or by having the questions put to us. It is entirely possible that the Kilday Subcommittee for example could seriously question our ability to hold ourselves above political considerations where the Agency itself concedes that no employee has any retention status except at the will of the Director. In practice this has not been a problem, but a congressional committee may well take the view that in this situation there must be a rule of law and not a rule depending on one man.

SECRET

4. It is also likely that our Career Service Program will come under survey as and when we attempt to secure special legislation for improved retirement benefits and at that time some of the questions indicated above could be put to the Agency.

5. Referring more specifically to some of the points raised by Mr. Kirkpatrick, I would offer my view that the Agency must have a Career Staff, whether it be called by that name is another question. It is also my belief that the present execution of the Career Service Staff concept has failed by far to meet the expectations of the original concept. I believe that we will fail in our justification if we deal with either the courts or the Congress in referring to a Career Staff with the implicit picture that this creates of a designated group of professional intelligence officials when that Staff in fact includes all categories of employees who automatically become members after they meet essentially the sole criteria of having been in the Agency for three years and have not been grossly inefficient on their jobs. Especially is this true when the Career Staff includes all categories of employees such as laborers and others who under no conceivable circumstances would realistically live up to the written obligations they assume, such as serving anywhere the Agency desires them to serve.

6. Inherent in what is said above is the fact that it is my opinion eligibility for membership should be far more restricted than at present. Equally inherent is my belief that the basic concept of a separate Career Service for the Agency is sound.

7. For many years a number of individuals, including the undersigned, have believed that a restricted group should constitute the careerists of the Agency, established and administered under an appropriate legislative framework. It is hard fact that no other Career Service in the Government is established and run by administrative rulings. For the long pull Agency employees are entitled to the dignity and prestige of a legislatively-established service. There are those who will argue that too much flexibility would be lost by legislation in this field. It is conceded that there will be a cost in this regard but I believe that the benefits to be derived far outweigh the slight cost in some loss of flexibility. In many cases I believe the phrase "flexibility" is another expression for having your cake and eating it too. No one would argue that the Director should not have the right to terminate an Agency employee without any restriction if it were founded in basic security or suitability factors but I do not believe a legislative framework for a Career Service need void this principle.

8. While conceding that a Career Service cannot be created overnight and that it takes time to build up traditions, nevertheless there are many employees who frankly scoff when Career Service is mentioned. They have seen no tangible results of being a member of the Career Service. Certainly they find difficulty in determining the difference between the individual who is a member and one who is not. I believe that membership in a Career Service or intelligence service or whatever name would be utilized, should be a goal toward which an individual would aspire with specific and tangible results accruing. The obligations assumed in becoming a member should not be winked at by the applicant and by the Agency. Certainly the obligations will not be winked at by the Congress at such time as we attempt to secure special benefits for the careerist group.

9. If the Agency does not sincerely desire at some point to secure extra benefits and other considerations for the Career Staff members, then we should stop talking about Career Service and abandon the entire program and continue with good administration of our over-all personnel program. "A Career Service" inevitably portrays a picture of status and other benefits different than status and benefits before becoming a member. Therefore, if there is to be no real difference, let's not go through the machinery of signing a piece of paper and Board consideration.

10. Basically, I would agree with Mr. Houston's comment that the Career Service Program as presently conceived and carried out has in the long run had a somewhat negative effect. I believe the Program has been faulty in execution and there has been a failure to follow through on the promises implicit in a Career Service Program.


11. As a matter of information, USIA has again requested congressional action to establish a career program for information officers. In the last Congress their proposed program failed of passage and their new program is substantially the same in that they basically propose to adopt the provisions of the Foreign Service Act relating to pay scales, travel expenses, allowances, and the retirement system. There has been some informal criticism of some specifics in their legislation in that it vests too much authority in the Director of USIA, thus rendering it, in the opinion of some critics, subject to the whim of the Director and opening it up to possible political exploitation. With some changes in this regard, it is highly likely that the legislation will be approved.

4 MAR 1959

12. At the present time we are considering additional retirement benefits and have given some consideration to a new type of pay plan for the Agency. There has been little consideration given to determining if the Agency's long-range needs could be met by adopting the basic provisions of the Foreign Service Act as in the case of USIA with some modifications to fit the Agency. While these provisions would not necessarily provide an ideal solution for the Agency, I believe it difficult to argue that they would not be a long step in improving the Career Program of the Agency. It is believed that the Agency's justification in requesting such a program would stand up as strongly as the Foreign Service itself and probably more strongly than for USIA. The legislation itself would have the advantage of not establishing precedent in that we would merely be adopting the basic ingredients of a tried and proven system. Further, it would have the additional advantage that the State Department itself would keep it up to date legislatively as it has in the past. As a final opinion, it is my strong belief that a properly prepared legislative proposal for a Career Service, adopting the basic features of the Foreign Service Act for the Agency would not prove difficult of passage in the Congress.


Deputy General Counsel

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OGC/:mks (3 March 1959)

cc: OGC Chrono. no circ.

OGC Subject - Personnel 7-1

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25 FEB 1959

MEMORANDUM FOR: Acting Deputy Director (Support)

**SUBJECT: Inspector General's Survey of the
Office of Personnel**

The following comments about the Central Intelligence Agency's Career Service Program are submitted in accordance with your request of 2 February and are based on the questions in the Inspector General's memorandum of 29 January.

a. The CIA Career Service Program as presently conceived and carried out serves no purpose that could not be achieved through orderly personnel administration. On the contrary it tends to raise false hopes and impressions as to benefits and status and, therefore, in the long run has a somewhat negative effect.

b. The bulk of the CIA employees, particularly those at headquarters, will be considered, especially by the Congress, as no different from other Government Civil Service employees. Consequently, it is unrealistic to hope for any special incentive benefits for personnel as a whole. The only group for which some special treatment can be justified is the overseas staff and this, I believe, only on the basis that it should be reasonably youthful. However, to call such a restricted group a Career Service implies that the other employees are not here on a career basis, which is an unfortunate and inconsistent implication.

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While I favor working out special programs for the overseas staff, I am opposed to the concept that this group is the career staff.

c. Career Service, or whatever may be substituted therefor, should be separated at the main working level so that the special needs and problems of the group in question get the proper informed attention. However, this should be accompanied by some sort of inter-group coordinating and interchange mechanism.

d. Because of the very small size of the Office of General Counsel and its specialized professional nature, the Career Service Program has had no impact on its personnel administration one way or the other.

e. As the Office of General Counsel has its own Career Service Panel, the handling of personnel actions has not been materially affected.

f. I have no objection to greater rotation of employees between DD/P, DD/I, and DD/S, provided there is assurance that this does not become a method of unloading marginal types, and also provided it is not haphazard but is planned to benefit both the employees and the offices concerned.

g. I do not mean by the foregoing that the institution of the Career Service Program has not had beneficial effects. I believe it forced action in connection with problems which had long required attention, such as longer range planning for assignments, particularly on rotation between overseas and headquarters, and on such tools of personnel administration as competitive ratings. The system of panels and boards appears to serve a useful purpose, although hopefully less cumbersome mechanisms may be found. My feeling is that all of this could have come about through orderly personnel administration and that a vast amount

of paper on the subject of Career Service and a wealth of employee sarcasm could have been saved if the Career Service had been kept merely the aim of personnel administration and had not been put into effect as a highly publicized program.

I wish to emphasize that I am strongly in favor of developing a concept that employment in this Agency is a career, but it is my belief that this is accomplished by good administration and management and not through legislation, regulations, or announcement of programs. I am also in favor of identifying a special group or groups for which special treatment may be justified and working to obtain for them appropriate benefits and handling.

s/ Lawrence R. Houston

LAWRENCE R. HOUSTON
General Counsel

OGC:LRH:jeb
cc: OGC chrono-no circ
✓subject-Personnel 7-1

DD/S 57-402
OBC 9-0322

MEMORANDUM FOR: Comptroller
General Counsel
Director of Communications
Director of Logistics
Director of Personnel
Director of Security
Director of Training
Chief, Audit Staff
Chief, Commercial Staff
Chief, Management Staff
Chief, Medical Staff
Special Support Assistant to the DD/S

SUBJECT : IG Survey of the Office of Personnel

REFERENCE : Memo dtd 29 Jan 59 to DD/P, DD/I, and DD/S fr IG
same subject.

The referenced memorandum from the Inspector General requests an expression of opinion on several points concerning the CIA Career Service Program. It is requested that you forward to me no later than 24 February 1959 your comments on the points listed in this memorandum.

STATINTL



L. K. WHITE
Deputy Director
(Support)

1 att:

Att 1 - Referenced memorandum.

MEMORANDUM FOR: Deputy Director (Plans)
Deputy Director (Intelligence)
Deputy Director (Support)

SUBJECT: : IS Survey of the Office of Personnel

1. This Office has scheduled a survey of the Office of Personnel commencing about 1 February. A critical examination of the CIA Career Service Program will be a part of this survey and will embrace a review and evaluation of the program Agencywide.

2. I would appreciate a candid expression of opinion from the Chiefs of your major components, together with your own, not later than 1 March on the following major points:

a. What are your views as to the merits of a CIA Career Staff?

b. Should eligibility for membership be more restricted than at present?

c. Is the basic concept of separate career services for CIA sound?

d. In terms of intelligent personnel administration, what features of the CIA Career Service Program have been of most assistance to you in exercising your responsibilities?

e. Are you satisfied with present procedures governing the processing of personnel actions through the various Career Service Panels and Boards to effect promotions, rotations and assignments? In what way could these procedures be improved or modified to best meet your particular needs?

f. What would be your main objections, if any, to greater interchange of employees on a rotation basis between DS/P, DS/I and DS/S?

g. Any additional comments pertaining to the program as a whole.

Lyman B. Kirkpatrick,
Inspector General

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MEMORANDUM FOR: Comptroller
General Counsel
Director of Communications
Director of Logistics
Director of Personnel
Director of Security
Director of Training
Chief, Audit Staff
Chief, Commercial Staff
Chief, Management Staff
Chief, Medical Staff
Special Support Assistant to the DD/S

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L. L. WHITE
Deputy Director
(Support)

1 att:
Att 1 - Referenced memorandum.

TRANSMITTAL SLIP		DATE	2-3-59
TO: Office of General Counsel			
ROOM NO.	BUILDING		
221	East		
REMARKS:			
FROM: Office of the DD/S			
ROOM NO.	BUILDING	EXTENSION	
121	East		
FORM NO. 241 1 FEB 55		REPLACES FORM 36-B WHICH MAY BE USED.	
		GPO : 1957-O-439445 (47)	